

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONAS ROGERS,

Defendant.

No. 11-20749

District Judge Sean F. Cox  
Magistrate Judge R. Steven Whalen

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**ORDER**

Defendant Jonas Rogers was charged in a superseding indictment with one count of conspiracy to commit wire fraud, 18 U.S.C. § 1349, one count of money laundering, 18 U.S.C. § 1957, and one count of aiding and abetting aggravated identity theft, 18 U.S.C. §§ 1028A and 2. Following a seven-day jury trial, he was convicted of conspiracy to commit wire fraud and money laundering, and acquitted of aggravated identity theft. He was sentence to 78 months imprisonment on each count of conviction, to run concurrently. On direct appeal, the Sixth Circuit affirmed his convictions and sentences. *United States v. Rogers*, 769 F.3d 372 (6<sup>th</sup> Cir. 2014).

Defendant then filed a Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 [Doc. #98]. On February 1, 2019, I filed a Report and Recommendation to deny the motion [Doc. #108]. I determined that the motion was barred by the statute of limitations, and also that the issues raised lacked merit.

Along with his § 2255 motion, Defendant filed three motions: a motion for evidentiary hearing [Doc. #102], a motion to expand the record [Doc. #103], and a motion to appoint the United States Marshal to serve interrogatories [Doc. #104].

In effect, Defendant seeks to retry his case. However, a properly instructed jury found him guilty, the Sixth Circuit rejected his argument that there was insufficient evidence to sustain his conviction, and his § 2255 motion is not only barred under the statute of limitations, but is lacking merit on its face. There is no basis to grant any of the three motions.

Accordingly, and incorporating the reasons set forth in the Report and Recommendation, Defendant's motion for evidentiary hearing [Doc. #102], motion to expand the record [Doc. #103], and motion to appoint the United States Marshal to serve interrogatories [Doc. #104] are DENIED.

IT IS SO ORDERED.

s/ R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: February 4, 2019

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on February 4, 2019, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla  
Case Manager to the  
Honorable R. Steven Whalen